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August 27, 2013

VIA ELECTRONIC MAIL
rbfoia@epa.gov

Ms. Leticia Lane
Regional Freedom of Information Officer
U.S. EPA Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

**Re: Freedom of Information Act Request Related to NPDES Permit No. TX0067890
Regarding A Steam Electric Power Generation Facility in Montgomery County, Texas**

Dear Ms. Lane:

Katten Muchin Rosenman LLP (“Katten”) submits this request for records pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552.

From the late 1960s until transfer of National Pollutant Discharge Elimination System (“NPDES”) Permit No. TX0067890 to the predecessor of the Texas Commission on Environmental Quality in the late 1990s, Region 6 of the U.S. Environmental Protection Agency (“EPA”) issued and re-issued NPDES Permit No. TX0067890 pursuant to Section 402 of the Clean Water Act to authorize the discharge of wastewater from the Lewis Creek Plant, a steam electric power generation facility.

Katten requests that the EPA search for and make available to Katten copies of all records in the possession or control of the EPA pertaining to issuance and re-issuance of NPDES Permit No. TX0067890. Records are defined as any EPA document, writing, photograph, sound or magnetic recording, drawing, computerized record (disk, database), electronic mail, EPA policies and decisions in which requested information can be retrieved and/or copied. Katten’s request for copies of records includes the following:

1. All applications, including any supplements and related correspondence, for NPDES Permit No. TX0067890.
2. All draft and final NPDES permits numbered TX0067890 prepared and/or issued by the EPA and all associated documents including fact sheets, statements of basis, memoranda and related correspondence.

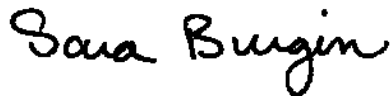
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3. All public comments and responses to public comments related to NPDES Permit No. TX0067890.
4. Any scientific and/or technical documents, any environmental review or assessment documents, and any documents or permits prepared by or for other governmental agencies related to Clean Water Act authorization for the Lewis Creek Plant.

This FOIA request does not seek copies of records related to monitoring and/or reporting, such as discharge monitoring reports related to NPDES Permit No. TX0067890.

Katten recognizes that the FOIA authorizes EPA staff to charge certain fees related to research and copying of records requested through a FOIA request. Please contact me at sara.burgin@kattenlaw.com at your earliest convenience to provide an estimate of fees that would be associated with the requested research and copying.

Sincerely,



Sara M. Burgin